IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Court No.2

Writ Petition (Lodging No. 416) of 2003

(1) Pitambar Singh
(2) Hukum Singh
(3) Bal Chand
All Sons of Kishan Lal,
All R/o Village Bahadarpur Saini
Pargana & Tehsil Roorkee,
District-Haridwar- ...Petitioners.

Versus

(1) Deputy Director of Consolidation,
District-Haridwar,
(2) Ram Pal S/o Ramswaroop
R/o Village Bahadarpur Saini,
Pargana & Tehsil Rorkee,
District-Haridwar. ..... Respondents

.....

Hon'ble P.C. Verma, J.

This petition has been field by the petitioners seeking writ of certiorlari quashing the order dated 12.11.2003, contained in Annexure No.4 to the writ petition, by which the respondent No.1 while passing the order on the application of the petitioners for adjournment on 12.11.2003 passed the order imposing a cost of Rs. 100/- with simultaneous direction that the petitioners will have to bear the salary prayer to issue writ of mandamus to command the respondents to transfer the Revision No.564 of 2002 to any other court of competent jurisdiction.

Since direct allegations have been made against the respondent No.1-Deputy Director Consolidation, Hardwar contained in Paras Nos. 6, 7 & 8 to the writ petition, therefore the respondent No.1 will not decide the Revision No.564 of 2002 and he shall transfer the same to the Additional Deputy

Director Consolidation, Hardwar for hearing and decision of aforesaid revision. The order dated 12.11.2003 impugned in the writ petition is quashed.

The writ petition is disposed of with the direction that the respondent No.1-Deputy Director Consolidation, Hardwar shall transfer the Revision No. 564 of 2002, Rampal Singh versus Pitamber Singh and others for hearing and disposal to the Court of Additional Deputy Director Consolidation, Hardwar.

(P.C. Verma, J.)

25.11.2003
P.Singh